

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

&

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

WP(C).No. 34241 of 2007(B)

PETITIONERS:

1. V. PRASAD, VELLATHINKAL HOUSE
PANAMBAD, PURANGU P.O.,
PONNANI 679 584.
2. DR. J. ANITHA, W/O. PRASAD.
VELLATHINKAL HOUSE PANAMBAD,
PURANGU P.O., PONNANI 679 584.

BY ADV. SRI.P.RAMAKRISHNAN
SRI.C.ANIL KUMAR

RESPONDENTS:

1. STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.
2. SUPERINTENDENT OF POLICE
CRIME BRANCH, PALAKKAD.

BY Government Pleader MR.P A SALIM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22/11/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

K.BALAKRISHNAN NAIR & K.P.BALACHANDRAN, JJ.

Writ Petition (C) No.34241 of 2007-B

Judgment

Balakrishnan Nair, J.

The petitioners are husband and wife. They have approached this Court, alleging harassment from the part of the Police officials, headed by the second respondent in connection with the death of one Surur, who was an auto rickshaw driver. The crime was initially investigated by the local police. Now, it is taken over by the Crime Branch as per the order of the Director General of Police. The petitioners were earlier questioned by the Investigating Officer. Now, again the officials under the 2nd respondent are summoning them time and again to the police station and they are being unnecessarily harassed, it is submitted. According to them, they have been called to the police station orally, atleast on 50 occasions by different officials in connection with the investigation. In the background of the above harassment, this Writ Petition is filed, seeking appropriate reliefs.

2. The learned Government Pleader upon instruction, submitted that the Police officials are not harassing the petitioners. In connection with the

investigation, they wanted to question them and therefore, they were summoned to the police station. The other allegations are denied by the Police.

3. We record the submission of the Police that they are not harassing the petitioners. If they are not accused in the crime and their presence is necessary for the investigation or for questioning them, the Police shall issue notice to them under Section 160 Cr.PC.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR,JUDGE

22.11.2007

K.P.BALACHANDRAN, JUDGE

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